

State of Kansas  
Department of Health and Environment

Public Notice Concerning Kansas / Federal  
Water Pollution Control Permits and Applications

State of Kansas  
Department of Health and Environment  
Division of Environment-Bureau of Water  
1000 SW Jackson St., Suite 420  
Topeka, Kansas 66612-1367  
Telephone: (785) 296-6432 - Ag Permits  
(785) 296-5517 - All Others

Public Notice No. KS-AG-19-021/030  
Public Notice No. KS-AG-R-19-003  
Public Notice No. KS-Q-19-010/015  
Public Notice No. KS-NQ-19-001/003

Beginning Date: January 24, 2019  
Comments Due: February 23, 2019

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 17, 28-18a-1 through 33, 28-16-150 through 154, 28-46-7, and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation, and reissuance of the designated permit or termination of the designated permit.

\*\*\*\*\*

**Public Notice No. KS-AG-19-021/030**

**Pending Permits for Confined Feeding Facilities**

<u><b>Name and Address of Applicant</b></u>	<u><b>Legal Description</b></u>	<u><b>Receiving Water</b></u>
Eck Feeders Daryl Eck 11329 SE US Hwy 160 Sharon, KS 67138	NW/4 of Section 22 T32S, R10W Barber County	Lower Arkansas River Basin

Kansas Permit No.: A-ARBA-B003

This is a renewal permit for an existing facility with a maximum capacity of 600 head (300 animal units) of cattle weighing 700 pounds or less. There has been no change in animal units from the last permit.

Pioneer Feedyard LLC 1021 County Road CC Oakley, KS 67748	S/2 of SW/4 of Section 7 N/2 & SW/4 of Section 18 N/2 of Section 17 NW/4 of Section 19 T11S, R31W	Smoky Hill River Basin
---	---	---------------------------

Gove County

Kansas Permit No.: A-SHGO-C003

Federal Permit No.: KS0115860

This is a permit modification and re-issuance for an existing livestock facility with a maximum capacity of 53,000 head (53,000 animal units) of cattle weighing greater than 700 pounds. The permit renewal and proposed plans describe a Feedlot that consists of approximately 219 acres of cattle pens and 201 acres of associated feedlot areas. The waste management system includes six earthen retention control structures and a sediment basin. Proposed modifications to the facility include the construction of approximately 68.9 acres of cattle pens, 31.0 acres of associated feedlot areas, and a sediment basin. Proposed modifications to the facility include the construction of approximately 50 acres of feed storage area, a freshwater (non-impacted stormwater) diversion channel, and a RCS basin. The facility has an approved Nutrient Management Plan on file with KDHE.

Ward Feed Yard, Inc. (Grower Yard)  
Chris Burris, Manager  
P.O. Box H  
Larned, KS 67550

SW/4 of Section 25  
T21S, R16W  
Pawnee County

Upper Arkansas  
River Basin

Kansas Permit No.: A-UAPN-B006

This is a renewal permit for an existing facility for 990 head (990 animal units) of cattle weighing more than 700 pounds. There has been no change in animal units from the last permit.

Larson Farms  
Raymond Larson  
14790 Fancy Creek Road  
Randolph, KS 66554

NE/4 of Section 31  
T6S, R5E  
Riley County

Big Blue  
River Basin

Kansas Permit No.: A-BBRL-B002

This is a renewal permit for an existing facility for 900 head (900 animal units) of cattle greater than 700 pounds. There has been no change in animal units from the last permit.

Kenoma Farms Inc.  
1155 N Hwy 99  
Emporia, KS 66801

NE/4 of Section 11  
T18S, R11E  
Lyon County

Neosho  
River Basin

Kansas Permit No.: A-NELY-S005

This is a renewal permit for an existing facility for 70 head (28 animal units) of swine weighing more than 55 pounds. This is a decrease of 276 animal units since the last permit.

Theodore R. Setzkorn  
10137 110 Road  
Dodge City, KS 67801

NE/4 of Section 10  
T25S, R25W  
Ford County

Upper Arkansas  
River Basin

Kansas Permit No.: A-UAFO-B009

This is a renewal permit for an existing facility for 900 head (450 animal units) of cattle weighing less than 700 pounds and 4 head (8 animal units) of horses; for a total of 458 animal units. There has been an 8 animal unit increase from the last permit to account for horses present at the facility.

Grunder Truck Wash  
Fred Grunder  
122 South Main Street  
St. John, KS 67576

SE/4 of Section 21  
T25S, R14W  
Stafford County

Lower Arkansas  
River Basin

Kansas Permit No.: A-ARSF-T001

This is a renewal permit for an existing facility with a private truck wash for 2 or less trucks. There have been no modifications to the facility.

Edwin F. Welch Trust I  
387 20<sup>th</sup> Road  
Haddam, KS 66944

SE/4 of Section 21  
T2S, R1E  
Washington County

Big Blue  
River Basin

Kansas Permit No.: A-BBWS-B002

This is a renewal permit for an existing facility for 600 head (600 animal units) of cattle weighing more than 700 pounds. The facility consists of approximately 5.7 acres of open lots, a sedimentation basin, grass buffer, and an earthen wastewater retention structure. This is an increase of 403 animal units from the previous permit.

Dale Springer – Main Farm  
5816 County Road 3300  
Independence, KS 67301

N/2 of Section 23  
T31S, R15E  
Montgomery County

Verdigris  
River Basin

Kansas Permit No.: A-VEMG-H009

Federal Permit No.: KS0085448

This is a renewal permit for an existing facility for 6,070 head (2,428 animal units) of swine weighing greater than 55 pounds; and 3,252 head (325.2 animal units) of swine weighing 55 pounds or less; for a total of 2,753.2 animal units of swine. This farrow-to-finish swine facility consists of 16 enclosed swine buildings, a mortality composting building, and an equipment wash area. The waste management system includes flush gutters, pull plug concrete pits, a sediment basin, and five earthen retention control structures. There has been no change in animal numbers from the last permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Dustin Bemis  
861 US Highway 40  
Hays, KS 67601

N/2 of Section 20  
T13S, R19W  
Ellis County

Smoky Hill  
River Basin

Kansas Permit No.: A-SHEL-B011

This permit is being modified to reflect the facility as it has been built including the feed storage area. There are no other changes to the permit. Only the portions of the permit being modified are subject to comment.

\*\*\*\*\*

**Public Notice No. KS-AG-R-19-003**

**Per Kansas Statutes Annotated 65-171d, the following Registration has been received for a proposed facility:**

<u><b>Name and Address of Registrant</b></u>	<u><b>Legal Description</b></u>	<u><b>County</b></u>
C.B. Showalter 8803 E. Arlington Rd Haven, KS 67543	NW/4 of Section 8 T25S, R04W	Reno

\*\*\*\*\*

**Public Notice No.: KS-Q-19-010/015**

**The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28 (b-g), and Federal Surface Water Criteria.**

<u><b>NAME AND ADDRESS OF APPLICANT</b></u>	<u><b>RECEIVING STREAM</b></u>	<u><b>TYPE OF DISCHARGE</b></u>
Crawford County Commission PO Box 249 Girard, KS 66743	West Fork Drywood Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-MC52-OO01

Federal Permit No. KS0096741

Legal Description: NW¼, NW¼, SE¼, S6, T28S, R24E, Crawford County, Kansas

Facility Name: Crawford County Sewer District # 4 - Farlington

The proposed action is to reissue an existing NPDES/State permit to an existing facility. This facility is a three-cell wastewater stabilization lagoon system. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and ammonia, as well as monitoring for pH, sulfate, selenium, and E. coli.

Edgerton, City of PO Box 255 Edgerton, KS 66021	Bull Creek via Unnamed Tributary	Treated Domestic Wastewater
---	-------------------------------------	--------------------------------

Kansas Permit No. M-MC08-OO02

Federal Permit No. KS0100374

Legal Description: SE¼, SE¼, S9, T15S, R22E, Johnson County, Kansas

Facility Name: Big Bull Creek Wastewater Treatment Facility

The proposed action is to reissue an existing NPDES/State permit to an existing facility. This facility is a mechanical plant consisting of off-site and on-site raw sewage pumping stations, mechanical screening and de-gritting, extraneous flow basin, Schreiber Continuously Sequencing Reactor (CSR), chemical precipitation for phosphorus removal, final clarifier with tertiary filtration, ultraviolet disinfection, Parshall flume, reaeration, aerobic sludge digestions and mechanical dewatering. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, pH, ammonia, total phosphorus, total nitrogen, and E. coli, as well as monitoring for nitrate + nitrite, total Kjeldahl nitrogen, whole effluent toxicity, priority pollutants, and flow.

Ellis, City of  
815 Jefferson  
Ellis, KS 67637

Big Creek

Treated Domestic  
Wastewater

Kansas Permit No. M-SH06-OO02

Federal Permit No. KS0094145

Legal Description: NE¼, SE¼, NW¼, S9, T13S, R20W, Ellis County, Kansas

Facility Location: 900 East 8<sup>th</sup>, Ellis, KS 67637

The proposed action is to reissue an existing NPDES/State permit to an existing facility. This facility is a mechanical treatment plant consisting of a lift station, an Aero-Mod extended aeration plant, UV disinfection of effluent, and a belt filter press for sludge dewatering and reuse of treated effluent for golf course irrigation. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, pH, ammonia, E. coli, total phosphorus, nitrate + nitrite, as well as monitoring for total Kjeldahl nitrogen, arsenic, selenium, and flow.

Minneapolis, City of  
218 North Rock  
Minneapolis, KS 67467

Lindsey Creek via  
Unnamed Tributary

Treated Domestic  
Wastewater

Kansas Permit No. M-SO27-OO02

Federal Permit No. KS0086304

Legal Description: NW¼, NW¼, SE¼, S7, T11S, R3W, Ottawa County, Kansas

The proposed action is to reissue an existing NPDES/State permit to an existing facility. This facility is a three-cell wastewater stabilization lagoon system. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, and zinc, as well as monitoring for pH, E. coli, sulfates, total phosphorus, chlorides, copper, lead, chromium, and arsenic.

Palco, City of  
PO Box 257  
Palco, KS 67657

Spring Creek via  
Unnamed Tributary

Treated Domestic  
Wastewater

Kansas Permit No. M-SO30-OO02

Federal Permit No. KS0093122

Legal Description: NW¼, NE¼, SE¼, S21, T9S, R20W, Rooks County, Kansas

The proposed action is to reissue an existing NPDES/State permit to an existing facility. This facility is a three-cell wastewater stabilization lagoon system. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for pH, ammonia, and E. coli.

Reno Co. Board of Commissioners  
600 Scott Boulevard  
South Hutchinson, KS 67505

Arkansas River via  
Unnamed Tributary

Treated Domestic  
Wastewater

Kansas Permit No. I-AR98-PO01

Federal Permit No. KS0091715

Legal Description: SE¼, S29, T24S, R5W, Reno County, Kansas

Facility Name: Reno County Sewer District No. 202

The proposed action is to reissue an existing NPDES/State permit to an existing facility. This sewer

district collects and treats sanitary wastewater from the Hutchinson Air Base Industrial Tract and from area residential housing. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and pH, as well as monitoring for flow, ammonia, E. coli, nitrate and total Kjeldahl nitrogen.

\*\*\*\*\*

**Public Notice No. KS-NQ-19-001/003**

**The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-g).**

<u>NAME AND ADDRESS OF APPLICANT</u>	<u>LEGAL LOCATION</u>	<u>TYPE OF DISCHARGE</u>
Steve Roberts 2536 Kestrel Road Hiawatha, KS 66434	NW¼, NW¼, SW¼, S18, T2S, R17E, Brown County, KS	Non-Overflowing

Kansas Permit No. C-MO08-NO01  
Facility Name: Country Cabin

Federal Permit No. KSJ000696

This action consists of issuing a new Kansas Water Pollution Control Permit for a non-overflowing facility. This facility is a one-cell wastewater stabilization lagoon system. The permit is for the kitchen and restaurant only. If additional facilities are added or either facility is expanded, approval from KDHE must be obtained prior to increasing influent flow to the lagoons. The permit contains a schedule of compliance stating the facility shall have a KDHE-certified operator. The proposed permit contains generic language to protect the waters of the State.

Tammy Herl 3239 S 137 <sup>th</sup> St. E #32 Wichita, KS 67232	NW¼, NW¼, NE¼, S11, T28S, R2E, Sedgwick County, KS	Non-Overflowing
---	--	-----------------

Kansas Permit No. C-WA20-NO01  
Facility Name: Herl's Eastside Mobile Home Park  
Facility Location: 13601 E 31<sup>st</sup> Street South, Wichita, KS 67232

Federal Permit No. KSJ000529

This action consists of reissuing a Kansas Water Pollution Control Permit for an existing non-overflowing facility. This facility consists of two single-cell wastewater stabilization lagoon systems. The permit contains a schedule of compliance stating the facility shall have a KDHE-certified operator. The proposed permit contains generic language to protect the waters of the State.

Randy Long Trucking, LLC 4537 SW Auburn Road Topeka, KS 66610	NW¼, SE¼, NE¼, S13, T13S, R15E, Shawnee County, KS	Non-Overflowing
---	--	-----------------

Kansas Permit No. C-KS72-NO11  
Facility Location: 7939 S Topeka Blvd., Wakarusa, KS 66546

Federal Permit No. KSJ000698

This action consists of issuing a Kansas Water Pollution Control Permit for an existing non-overflowing facility. This facility is a two-cell wastewater stabilization lagoon system. The permit contains a schedule of compliance stating the facility shall have a KDHE-certified operator. The proposed permit contains generic language to protect the waters of the State.

\*\*\*\*\*

### NOTICE OF INTENT TO TERMINATE

Pursuant to the requirements of K.A.R. 28-16-60 and K.A.R. 28-16-62, the Kansas Department of Health and Environment (KDHE) hereby provides notice of intent to terminate the following KDHE-issued permits.

State Permit	Project Name	City	County
S-SH02-0003	Lindblad Addition No. 2	Assaria	Saline
S-KS27-0191	Century Concrete Wet Batch Plant	Kansas City	Wyandotte
S-KS31-0367	Douglas County Fair Ground Improvements	Lawrence	Douglas
S-KS32-0048	Gleason Glen, Sixth Plat, Phase III	Leawood	Johnson
S-KS32-0040	Park Place Residences	Leawood	Johnson
S-KS32-0041	Park Place Residences Loft	Leawood	Johnson
S-MO27-0039	Centennial Park	Leawood	Johnson
S-KS34-0178	Falcon Plaza Commercial Development	Lenexa	Johnson
S-KS38-0265	GJL Addition	Manhattan	Riley
S-KS40-0004	2015 CDBG Street Improvements	Mayetta	Jackson
S-LA11-0107	Leachate Evaporation Pond Installation	McPherson	McPherson
S-KS45-0024	The Gateway	Mission	Johnson
S-KS52-0110	Links of Prairie Highlands	Olathe	Johnson
S-KS52-0350	Hedge Lane PS&R	Olathe	Johnson
S-KS52-0439	Garmin Loop Road Expansion	Olathe	Johnson
S-MO14-0199	UMB - 151st and Blackbob	Olathe	Johnson
S-KS52-0111	Saddlebrook of Cedar Ridge Park - 1st Plat	Olathe	Johnson
S-KS52-0115	Whitetail - 1st Plat	Olathe	Johnson
S-KS52-0302	Olathe North High School Campus	Olathe	Johnson
S-MO14-0112	Ashford Villas	Olathe	Johnson
S-MO14-0161	Clareview Lot 2	Olathe	Johnson
S-MC31-0070	Zarco 66	Ottawa	Franklin
S-KS55-0254	Chapel Hill 3rd Plat	Overland Park	Johnson
S-MO28-0342	Avenue 80	Overland Park	Johnson
S-KS55-0092	Cottages at the Wilderness	Overland Park	Johnson
S-MO28-0080	Hampton Place	Overland Park	Johnson
S-AR69-0025	Prairie Hills 2nd Addition	Park City	Sedgwick
S-KS67-0010	St Marys Industrial Park Drainage Improvements	St. Marys	Pottawatomie
S-AR84-0005	KS FTFW QUIV 10(3) and 11(1) Various Routes	Stafford	Stafford
S-KS72-0470	T-151011.00/Lauren's Bay Pond Improvements	Topeka	Shawnee
S-LA16-0047	Paving, Drainage, SWD, and Pump Station	Valley Center	Sedgwick
S-AR94-1301	McAdams Park Baseball Field	Wichita	Sedgwick
S-AR94-1304	Asphalt Plant	Wichita	Sedgwick
S-AR94-1305	Nahola	Wichita	Sedgwick

S-AR94-1307	Rawan Estates	Wichita	Sedgwick
S-AR94-1030	127th Street Duplexes	Wichita	Sedgwick
S-WA20-0014	Prairie Pond Plaza Addition	Wichita	Sedgwick

Proposed Action: The Kansas Department of Health and Environment (KDHE) issued Authorizations for stormwater discharges under of the Construction Stormwater General Permit for the above named projects. K.S.A. 65-166a requires the Secretary of KDHE to assess appropriate annual fees for Authorizations/Permits issued by the Department and provides that failure to pay the annual fee shall be cause for revocation/termination of the Authorization/Permit. The authorized entities named above have failed to comply with the requirement to pay the annual fee. Further, according to K.A.R. 28-16-62(f)-(g), the director has discretion to initiate termination of a permit. Therefore, pursuant to K.S.A. 65-166a, K.A.R. 28-16-60 and K.A.R. 28-16-62, KDHE is hereby providing notice of intent to terminate the Authorizations associated with the projects named herein. The entity may re-instate the Authorization by paying the appropriate annual fees. If you have any questions regarding the termination of your permit, please contact the Stormwater Coordinator.

\*\*\*\*\*

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision-making process. Comments or objections should be submitted to the attention of Livestock Waste Management Section for agricultural related draft documents or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367.

All comments regarding the draft documents or application notices received on or before **February 23, 2019**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-19-021/030, KS-AG-R-19-003, KS-Q-19-010/015, KS-NQ-19-001/003) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/ application. If response to any draft document / application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents / application and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.

**Lee A. Norman, M.D.**  
**Interim Secretary**  
**Kansas Department of Health and Environment**